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NO. 31.—WHOLE NO. 83.

From the Ohio State Journal.

Sir:—In the great hurry of business which always attends the close of the Legislature, it is impossible to examine every subject with that care which it deserves; and in looking over the tables which I had made of the apportionment bill, since the adjournment, I find that an error was committed in copying from the engrossed bill as it passed the House, which was done while the journals were reading, the morning the bill was to have its third reading. The error was in entering one Representative to each of the counties of Seneca and Sandusky, instead of one to them jointly. A similar error was found also, in entering the Senator from Licking county for 1836, in the column of the Representatives. The former of these errors was carried into the protest against the bill, which was signed by a number of Senators. As the error was entirely my own, I wish to correct it, before it meets the public eye, and therefore send you a copy of the protest, with a note correcting that part which is erroneous. I likewise send you the tables up on which the calculations were made for Representatives for 1836, and the Senators for the four years, as they are stated in the protest, and now taken from the bill as corrected. By correcting both errors, and transferring these three counties to their appropriate lists, the same unneccessary and unequal allotments of Representatives for the year 1836 will be found to exist.

Very respectfully,

LEICESTER KING.

Columbus, March 14, 1836.

PROTEST.

The undersigned members of the Senate, dissent from, and protest against the passage of the bill, "To fix and upon the representation in the General Assembly of the State of Ohio," for the following reasons, which they ask to have placed upon the journals.

First. Because they consider its provisions unequal, partial, and not in accordance with the letter, or spirit of the Constitution of the State, which declares "that the number of Representatives, shall be fixed by the Legislature, and apportioned among the several counties according to the number of white male inhabitants, above the age of twenty-one years, in each."

Second. Because they believe that the inequalities in the representation are so arranged and located in the bill, as to give an undue and unfair advantage and preponderance in the next General Assembly, to districts of a particular political character.

From the returns made to the Senate of the white male inhabitants above the age of twenty-one years, including the probable amount of the few counties from which no returns have been received, it is supposed that the whole number will exceed 236,000.

The following thirty counties, comprising a Representative population of 92,134, are allowed by the bill, in the next General Assembly, thirty seven Representatives in the popular branch, being a majority of two of its whole number, to wit: Columbiana, Carroll, Holmes, Coshocton, Tuscarawas, Harrison, Morgan, Perry, Ross, Washington, Fairfield, Hocking, Ross, Pike, Jackson, Butler, Preble, Union, Marion, Crawford, Seneca, Sandusky, Clinton, Miami, Dark, Mercer, Lorain, Stark, Richland, and Knox.

This leaves the balance of the State, comprising forty five counties, containing a Representative population of more than 143,000, to be represented in that branch of the next legislature by thirty five Representatives only.

Of these thirty counties above named, no one has a Representative population equal to the representation allowed it in that branch of the next General Assembly—and all of them, with the exception of six, are now represented in the same branch by persons of one political party. By an examination of the bill in detail, these inequalities will appear more glaring and unreasonable.

For instance, while the county of Muskingum, with a population of 6313, has but one Representative in the popular branch at the next session, and the counties of Champaign and Logan, with a population of about 5,000, have together one, and eleven north-western counties of the State, with a population exceeding 6100, scattered over a large extent of country, have together but one; the county of Perry, with a population of 3062, the county of Preble, with a population of 3015, the county of Knox, with a population of 3330 and the county of Butler, with a population of 5117, have each two Representatives in the same branch of the next Legislature;—and while the counties of Columbiana, Knox, and Perry, with a population of 13,512, have seven Representatives in one branch alone in the next Legislature, the counties of Muskingum, Logan, Wood, Henry, Williams, Hancock, Paulding, Putnam, Van Wert, Allen, Hardin, and Shelby containing a Representative population of 12,428, are allowed but two Representatives in the same branch at the next session; and with the two Senators allotted to them, they have three in number less, including both branches, than the former have in one.

The following twenty eight counties, containing a Representative population of 105,482, by the provisions of said bill are

allowed eighteen Senators for the next four years, being one half of the whole Senate, to wit: Stark, Richland, Knox, Coshocton, Holmes, Ross, Pike, Jackson, Fairfield, Hocking, Miami, Dark, Mercer, Seneca, Sandusky, Monroe, Lorain, Clinton, Highland, Medina, Guernsey, Hamilton, Licking, Clermont, Jefferson, Belmont, Montgomery, and Warren.—The balance of the counties, being forty seven in number, contain a Representative population of more than 139,000, and have but eighteen Senators for the next four years.

Of these twenty-eight counties above named, the eighteen first enumerated are included also in the list of the thirty counties to which a majority of two has been allotted in the other branch of the next General Assembly; and of the ten added to them as above, to compose one half of the Senate, a majority of them are now represented in the present Senate by persons of the same political party.

By this arrangement of districts, thirty counties, containing in the aggregate a Representative population of 51,000 less than the residue of the State, are allowed a majority of two in one branch of the next General Assembly; and in the other branch, eighteen of these same counties, in connection with the ten others last before named, containing a population 30,000 less than the remaining forty seven counties, have one half of its representation: thereby depriving a large majority of the counties and of the State of their proper constitutional representation, and securing to a minority of people thus comparatively small, a majority of two on joint ballot in the next Legislature.

Having failed in all attempts to correct these inequalities by proper amendments and believing them to be repugnant to the provisions of the Constitution, and to the principles of justice and fair representation, we have deemed it a duty due to our station, and to the State, to enter our solemn protest against the provisions of the bill.

(Signed.) LEICESTER KING, RALPH GRANGER, SAMUEL NEWELL, FRED. WADSWORTH, JOHN W. ALLEN, ANDREW DONALD, ELIAS FLORENCE, JAMES STEELE, JOHN M. HOUSTON,

(as to the additional members distributed.) HENRY MORSE, WILLIAM KENDALL, SAMUEL J. COX, JOHN H. JAMES, JOSEPH HOWARD,

*Note. By an error inadvertently committed in the press of business at the close of the session, the counties of Seneca and Sandusky, with a population of 4723 were inserted in this list, instead of the county of Licking, with a population of 6327, which would then make twenty nine counties, with a population of 93,938, instead of thirty counties, with a population of 92,134. With these corrections whenever they should be applied, the result will be found as stated—as by reference to the annexed tables will be seen.

L. KING

From the Philadelphia Inquirer.

THE TEXIAN DECLARATION OF INDEPENDENCE.

EXTRACT OF A LETTER TO THE EDITOR.

Washington, Texas, March 6, 1836.

Enclosed I forward you a manuscript copy of the Texian Declaration of Independence. We have no printing press here, and hence as the copy I furnish was taken in great haste it may contain some slight inaccuracies. It is generally correct however, if not strictly so, and I send you an early copy, supposing that the people of the U. States are not altogether indifferent as to our fate. There are many Philadelphians among us—bold hearts and true—men who but a short time since enjoyed all the ease and luxury of Philadelphia life. Fired by the same spirit that induced Lafayette to visit the American colonies and take part in the noble struggle for liberty, they are sharing the dangers and braving the perils of a contest against another tyrant. Among the number of the ardent and enterprising of your city, who have linked themselves with the fate of Texas, I may mention Edward Conrad Esq. formerly of the Philadelphia Gazette. He was a member of the General Convention, and enjoys the confidence of some of our most distinguished men. With regard to the result of our efforts, I am not so sanguine as some of those around me, but I never witnessed such determination, such enthusiasm in any cause. The Texans are determined either to achieve their freedom or perish in the attempt. Santa Anna and his myrmidons are in our immediate vicinity, but the accounts vary as to the strength of his army. It is beyond all doubt that his force exceeds ours by several thousand, but still we are any thing but faint hearted. A little while and our fate will be sealed—we will either stand forth a nation, and excite the admiration of the world as a nation of heroes, or our corpses will strew the fair fields around us.

DECLARATION OF INDEPENDENCE.

When a government has ceased to protect the lives, liberty and property of the people, from whom its legitimate powers are derived, and for the

advancement of whose happiness it was instituted, and so far from being a guarantee for the enjoyment of those inestimable and unalienable rights, becomes an instrument in the hands of evil rulers for their oppression. When the federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood—both the eternal enemy of civil liberty, the ever ready minions of power, and the usual instruments of tyrants.

When long after the spirit of the Constitution has departed, moderation is at length so far lost, by those in power, that even the semblance of freedom is removed, and the forms themselves of the constitution discontinued; and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons, and mercenary armies sent forth to force a new government upon them at the point of the bayonet. When in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy, prevails and civil society is dissolved into its original elements. In such a crisis, the first law of nature, the right of self-preservation—the inherent and inalienable right of the people to appeal to first principles, and take their political affairs into their own hands in extreme cases—enjoins it as a right towards themselves and a sacred obligation to their posterity, to abolish such government and create another, in its stead, calculated to rescue them from impending dangers, & to secure their welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is, therefore, submitted to an impartial world in justification of the hazardous but unavoidable step now taken of severing our political connexion with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican government, by its colonization laws, invited & induced the Anglo American population of Texas to colonize its wilderness, under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government, to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by GEN ANTONIO LOPEZ SANTA ANNA, who having overturned the constitution of his country now offers us the alternative either to abandon our homes, acquired by so many privations or submit to the most intolerable of all tyrannies, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila; by which our interests have been continually depressed through a jealous and partial course of legislation, carried on at a far distant seat of government, by a hostile majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms for the establishment of a separate State Government, and have in accordance with the provisions of the National Constitution, presented to the general congress a republican constitution, which was without a just cause, contemptuously rejected.

It incarcerated in a dungeon for a long time, one of our citizens for no other cause but a zealous endeavor to procure the adoption of the constitution, and the establishment of a State Government.

It has failed and refused to secure on a fair basis, the right of trial by jury, that palladium of civil liberty and property of the citizens.

It has failed to establish any public system of education although possessed of almost boundless resources (the public domain) and although it is an axiom in political science, that unless a people are educated & enlightened, it is idle to expect the continuance of civil liberty, or the capacity of self government.

It has suffered the military command to be stationed among us, to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizens, and rendering the military superior to the civil power.

It has dissolved by force of arms, the state congress of Coahuila and Texas, & obliged our representatives to fly for their lives from the seat of government, thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial in con-

tempt of the civil authority, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce, by commissioning foreign desperadoes, and authorizing them to seize our vessels and convey the property of our citizens for confiscation.

It denies us the right of worshipping God according to the dictates of our own conscience, by the support of a national religion calculated to promote the temporal interest of its human functionaries, rather than the glory and honor of the living God.

It has demanded us to deliver up our arms, which are essential to our defence, and the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country both by sea and land, with intent to lay waste our territory and drive us from our homes; and has now a large army advancing against us to carry on a war of extermination.

It has through its emissaries, incited the merciless savages, with the tomahawk and scalping knife, to massacre the inhabitants of our defenceless frontiers.

It hath been during the whole time of our connexion with it, the contemptible sport and victim of unnecessary Military Revolution; and has continually exhibited every characteristic of a weak, corrupt and tyrannical government.

These, and other grievances were patiently borne by the people of Texas, until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defence of the National Constitution; we appealed to our Mexican brethren for assistance, our appeal has been made in vain; though months have elapsed, no sympathetic response has yet been heard from the interior. We are therefore forced to the melancholy conclusion, that the Mexican people have acquiesced in the destruction of their liberty, and the substitution thereof of a military government, that they are unfit to be free, and incapable of self government.

The necessity of self preservation therefore now decrees our eternal political separation.

We therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessity of our condition, do hereby resolve and declare that our political connexion with the Mexican nation has forever ended, and that the people of Texas do now constitute a Free, Sovereign and Independent Republic, and are fully invested with all the rights and attributes which properly belong to Independent Nations, and conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbitrator of the destinies of Nations.

Signed by 34 names.

CINCINNATI MUSEUM.

THE INFERNAL REGION.

Among the vast number of strangers, who visit the beautiful city of Cincinnati there are few who have not either heard of or seen the above interesting establishment, for added to the attractions of an extensive collection of minerals, fossils, shells, Indian antiquities, preserved birds and beasts, wax figures, &c. there is the famous Infernal Region, of which, for the information of our readers, I propose to give some account.

The idea of this exhibition first originated with M. Dorfeuille, the present proprietor of this concern, and some seven or eight years ago, when the famous Mrs. Trollope was in Cincinnati, accompanied by a Mr. Hervieu, a distinguished French painter, the former gentleman suggested to the latter the propriety of trying his pencil upon the subject; he did so, and produced a beautifully awful picture representing a vast subterranean lake, of fire and ice alternate, overhung with stalactes and glaciers, upon which various objects were seen clinging and climbing. Some were writhing in the fiery waves, while others were fixed in the ice, with but their heads or some of their limbs exposed; there appeared to be no intermediate temperature between the fiery billows and the icy shores, nothing but extremes of freezing or roasting.

This picture was called "Hell accordant to Dante," and was relieved by a gigantic figure of Minos, in front; and suitable arrangements in the apartment to produce the best effect; but as there was nothing of an agitating or acting character in the exhibition, very many were disappointed; they came expecting to see monsters, imps, hobgoblins, and the devil all in motion, and of course a mere picture did not answer their expectations. The proprietor, perceiving his patronage on the decline, now cast about him for some thing to gratify the wishes; accordingly having an ingenious assistant in the Museum, he induced him to dress himself in disguise, and enter the exhibition by way of an experiment in the character of Beelzebub, and so did he personate that character that the audience were all delighted; for a nose he made use of a huge claw of a lobster, and affixed enormous glass eyes over his own, false teeth, beard, &c. and held in his hand a wand, which was connected by an invisible wire to a powerful electric machine; he was seated near the grating placed between the audience and the exhibition, and when any of them ventured within reach, would touch them

with his wand, and the effect was magical indeed, for they would jump near to the ceiling, and cause a burst of laughter among the crowd; this answered very well until the approach of cold weather, when Beelzebub found the temperature of the place too cold for him, and to save his feelings, constructed an automaton, which performed the part to the increased satisfaction of visitors.

The success of this first automaton induced him to make others; and some time since, when the writer of this article visited the place, it was full of monsters snakes imps, and figures representing the suffering before stated.

There is one automaton which I particularly noticed; it is a huge serpent, which crawls cautiously from his den, and then leaps violently to within a few inches of the grating, with his enormous jaws extended, exhibiting teeth like the rattle snake, protruding from his mouth when open, and folding within when shut; this is no paste board thing, however it has been made; I saw it on all sides, for it turned in various directions, and exhibited a perfect form, scales and all of an enormous rattlesnake its motions were wonderfully true to nature; so much so that the proprietor assured me, that though it has been within the reach of thousands, no one has yet dared to touch it; on the contrary, it excited the utmost horror among the audience, when I saw it leap out—they tumbled over each other in their efforts to get away. Mademoiselle Celeste the famous dancer was so over come by this exhibition that she swooned.

The scene closes every evening by the lights suddenly disappearing followed by a tremendous noise, during which figures from the magic lantern, are seen in rapid succession; so unexpected is this conclusion, that it generally causes the greatest consternation, and a general rush of the audience to the door; and many have never been prevailed upon to visit it a second time.—Washington Mirror.

From the London Mechanic's Magazine.

ANTIS' IMPROVED CHIMNEYS.

To construct a chimney which would carry smoke has been found in practice one of the most precarious objects of mechanism, so little has the theory of smoke and draft been understood, that if ever a chimney was constructed to draw well, it was evidently a matter of accident, for no mechanic seemed to have any rule for constructing a chimney which would ensure a good one. We have been extremely gratified within a few days, by the inspection of a fine, and a set of fire places, constructed upon a plan entirely new in principle, invented by Mr. Henry Antis. We had not the pleasure of seeing Mr. Antis' model, but we saw the practicable effect of his discovery, by a chimney and fire places in operation, in the house of Mr. Joseph Wallace, in Front Street the success of which is complete, and triumphantly sustains Mr. Antis' theory on it, is that cold atmospheric air tends to the centre of gravity, till it meets with some obstruction, which gives it another direction: that heated or magnified air is exactly vertical, in motion; that hence, the fire to carry it off should be perfectly vertical, and in no place of smaller dimensions than at the bottom or first inlet. He maintains that it matters not how many inlets there be to it, provided that the area of a cross section of the flue be equal to those of all the inlets combined,—it may be greater, but must never be smaller. He therefore starts with a single flue from the cellar, regulating the size to cover the area of all the contemplated inlets from bottom to top. He carries it up all the way of the same size, in exact perpendicular direction; nor need the wall be more than the width of one brick in thickness.—Wherever he wants a fireplace he attaches jamba of the usual shape, leaving the common perpendicular wall of the flue for a back, throwing an arch across at the proper place in the usual form covering it tight to the back wall. Immediately opposite or below the covering of the arch, he leaves a horizontal aperture in the flue, the whole width of the fireplace, from jamb to jamb. In size according to calculation previously made and according to the height of the arch, which, for jamba from twenty four to thirty inches high, must not be less than three inches perpendicular in the opening.

There seems to be philosophy in this theory; and practice so far as tried, proves that there is truth in it; and we have no doubt the plan will, on a little further trial, be universally adopted by builders. Beneath each grate, fitted in a fire place, is an opening left, which descends obliquely into the flue. In this opening, on a level with the hearth, is a fire grate fixed, through which the ashes descend from the grate above. And such is the effect, that while a strong current of air is produced by the heat from the fire in the grate, through the horizontal aperture above

a moderate draught is also maintained in the oblique one below, which carries off all the dust; so that from a coal fire not a particle of dust escapes into the room. He also affixes a valve to each inlet, hung in such an ingenious manner, that the mere pulling of a small brass knob closes it entirely; & thus, in case the chimney should take fire all the currents of air may be stopped in a moment, and the fire dies at once. Not a particle of soot can enter the room or your fireplace for that as the ashes, all descend to the bottom of the flue in the cellar, where an opening with a sheet iron door, is constructed, from which these articles can be taken and through which a sweep may enter and perform his duties, without disturbing the business, amusement, or quiet, of any part of the family. Where necessary, he also carries up side flues in the jamba, by which air can be introduced, to regulate the temperature of your room or the force of your draughts.

The advantages of this improvement are.

1st. Fewer materials are used which cheapens the work.

2d. Less room is engrossed by dead brick work.

3d. No annoyance from soot or ashes in your rooms—not even when a sweep ascends to clean out your flue.

4th. Power to regulate the temperature of your rooms, without opening doors or windows.

5th. Perfect security against smoke in room in your house.

A REVOLUTIONARY RELIC.—We copy the following interesting article from Poulson's Daily Advertiser of Wednesday week. The heroes of the struggle for Independence, are fast hastening from among us: in a little while there will not one be left to tell us of the deeds, in which they participated, that secured for us our existence as a nation.

"A fine looking gentleman, with a grey head it is true, but with a face, and eye, and voice, and motion indicating that not over fifty years were upon his shoulders, came into our office yesterday, and said, 'I have just been to the bank to receive my pension, and it has just now occurred to me that it was on the same day of the same month, and at the same hour of the day, 53 years ago, that I took part in the battle of Guilford.'"

"Our gallant revolutionary relic was one of Lee's legion. This legion was about two miles in advance of the army, looking after the enemy, who had possession of Hell's mill—and as was usual, with this spirited legion, led on the engagement, which commenced about two miles from Guilford Court House, at the forks of a road. There Lee charged Tarleton's horse, and drove them back, killing and wounding thirty or forty. Then a dash was made among the Queen's guards, when the legion joined the line of the army at Guilford Court House, where the battle was fought. Our veteran's breakfast this morning fifty five years ago, consisting of some Indian meal, which he mixed up with some water from a small stream near by, which he baked on a bit of a fence rail. These are revolutionary services, and this revolutionary fare."

"We got an anecdote of Green from our friend. The circumstances occurred on the morning of the day of the battle of Eutaw. Lee's legion fell in with a large foraging party. Our infantry instantly engaged them. The firing brought Green up in person to see what was the cause of it. He rode by the side of our friend, and their boots were touching at the moment when one of Green's aids rode up and announced that the enemy in large force was in his rear." Ride back," said Green without changing his position, "and tell them their situation—say if they do not instantly surrender, I shall cut them to pieces with my horse." The command was obeyed, and an immediate surrender followed.

"This was revolutionary promptness—and revolutionary decision."

Sensitive men are their own persecutors. Remarks and insinuations, never intended for them, are seized and appropriated by them, to their own misery. Hang such covetousness of left-handed compliments!—Reader are you of the genus irritable? If so, take my word for it—you are very foolish;—this is no hint, but a direct assertion. Never believe any thing of yourself that you do not know to be true—and never be incommoded by what you do not believe.

It is proposed to establish a line of Steamboats to ply between N. Y. and Baltimore, and the project will probably be carried into execution.